

people of Kansas, either for or against slavery. From this I have already ascertained.—I have been the duty of taking care that the laws be faithfully executed, "my only desire was that the people of Kansas should furnish to Congress the evidence required by the organic act, whether for or against slavery, and in this manner smooth the passage into the Union. In emerging from the condition of territorial dependence into that of a sovereign State, it was their duty, in my opinion, to make known their will by the vote of the majority, on the direct question whether this important domestic institution should or should not continue to exist. Indeed, this was the only possible mode in which their will could be authentically ascertained.

The election of delegates to a convention must necessarily take place in separate districts.—From this it is evident that a majority of the people of a State or Territory are on one side of a question, whilst a majority of the representatives from the several districts into which it is divided may be upon the other side. This arises from the fact that in some districts, delegates may be elected by small majorities, whilst in others those of different sentiments may receive majorities sufficiently great not only to overcome the votes given for the former, but to leave a majority of the whole people in direct opposition to a majority of the delegates. Besides, our history proves that influences may be brought to bear on the representative sufficiently powerful to induce him to disregard the will of his constituents. The truth is, that no other authentic and satisfactory mode exists of ascertaining the will of a majority of the people of any State or Territory on an important and exciting question like that of slavery in Kansas, except by leaving it to a direct vote. How wise, then, was it for Congress to pass over all subordinate and intermediate agencies, and proceed directly to the source of all legitimate power under our institutions!

How vain would any other principle prove in practice! This may be illustrated by the case of Kansas. Should she be admitted into the Union, with a Constitution either maintaining or abolishing slavery, against the sentiment of the people, this could have no other effect than to continue and exasperate the existing agitation during the brief period required to make the constitution conform to the irresistible will of the majority.

The friends and supporters of the Nebraska and Kansas act, when struggling on a recent occasion to maintain its wise provisions before the great tribunal of the American people, never differed about its true meaning on this subject. Everywhere throughout the Union, they publicly pledged their faith and their honor, that they would cheerfully submit the question of slavery to the decision of the bona fide people of Kansas, without any restriction or qualification whatever. All were cordially united upon the great doctrine of popular sovereignty, which is the vital principle of our free institutions. Had it then been insinuated from any quarter that it would be a sufficient compliance with the requisition of the organic law for the members of a convention, thereafter to be elected, to withhold the question of slavery from the people, and to substitute their own will for that of a legally ascertained majority of all their constituents, this would have been instantly rejected. Everywhere they remained true to the resolution adopted on a celebrated occasion recognizing the right of the people of all the Territories—including Kansas and Nebraska—acting through the legally and fairly expressed will of a majority of actual residents, and whenever the number of their inhabitants justifies it, to form a constitution, with or without slavery, and be admitted into the Union upon terms of perfect equality with the other States.

The convention to frame a constitution for Kansas met on the first Monday of September last. They were called together by virtue of an act of the territorial legislature, whose lawful existence had been recognized by Congress in different forms and by different enactments. A large proportion of the citizens of Kansas did not think proper to register their names, and to vote at the election of delegates; but an opportunity to do this having been fairly afforded, their refusal to avail themselves of their right, could in no manner affect the legality of the convention.

This convention proceeded to frame a Constitution for Kansas, and finally adjourned on the 7th day of November. But little difficulty occurred in the convention, except on the subject of slavery. The truth is that the general provisions of our recent State constitutions are so similar—and, I may add, so excellent—that the difference between them is not essential. Under the earlier practice of the Government, no constitution framed by the convention of a Territory preparatory to its admission into the Union as a State had been submitted to the people. I trust, however, the example set by the last Congress, requiring that the constitution of Minnesota "should be subject to the approval and ratification of the people of the proposed State," may be followed on future occasions. I took it for granted that the convention of Kansas would act in accordance with its example, founded, as it is, on correct principles; and hence my instructions to Governor Walker, in favor of submitting the constitution to the people, were expressed in general and unqualified terms.

In the Kansas-Nebraska act, however, this requirement, as applicable to the whole constitution, had not been inserted, and the convention were not bound by its terms to submit any other portion of the instrument to an election, except that which relates to the "domestic institution" of slavery. This will be rendered clear by a simple reference to its language. It was not to legislate into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way. According to the plain construction of the sentence, the words "domestic institutions" have a direct as they have an appropriate reference to slavery. "Domestic institutions" are limited to the family. The relation between master and slave and a few others, are "domestic institutions," and are entirely distinct from institutions of a political character. Besides, there was no question then before Congress, nor indeed has there since been any serious question before the people of Kansas or the country, except that which relates "domestic institution" of slavery.

The convention, after an angry and excited debate, finally determined, by a majority of only two, to submit the question of slavery to the people, though at the last forty-three of the fifty delegates present affixed their signatures to the constitution.

A large majority of the convention were in favor of establishing slavery in Kansas. They accordingly inserted an article in the constitution for this purpose similar in form to those which had been adopted by other territorial conventions. In the schedule, however, providing for the transition from a territorial to a State government, the question has been fairly and explicitly referred to the people, whether they will have a constitution "with or without slavery."

It declares that, before the constitution adopted by the convention, "shall be sent to Congress for admission into the Union as a State," an election shall be held to decide this question, at which all the white male inhabitants of the territory above the age of twenty-one are entitled to vote. They are to vote by ballot; and "the ballots cast at said election shall be endorsed constitution with slavery, and constitution with no slavery." If there be a majority in favor of the "constitution with slavery," then it is to be transmitted to Congress by the President of the convention in its original form. If, on the contrary, there shall be a majority in favor of the "constitution with no slavery," then the article providing for slavery shall be stricken from the constitution by the President of this convention; and it is expressly declared that no "slavery shall exist in the State of Kansas, except that the right of property in slaves now in the Territory shall in no manner be interfered with," and in that event it is made his duty to have the constitution thus ratified transmitted to the Congress of the United States for the admission of the State into the Union.

At this election every citizen will have an opportunity of expressing his opinion by his vote "whether Kansas shall be received into the Union with or without slavery," and thus this exciting question may be peacefully settled in the very mode required by the organic law. The election will be held under legitimate authority, and if any portion of the inhabitants shall refuse to vote, a fair opportunity to do so having been presented, this will be their own voluntary act, and they alone will be responsible for the consequences.

Whether Kansas shall be a free or slave State must eventually, under some authority, be decided by an election; and the question can never be more clearly or distinctly presented to the people, than it is at the present moment. Should this opportunity be rejected, she may be involved for years in domestic discord, and possibly in civil war, before she can again make up the issue now so fortunately tendered, and again reach the point she has already attained.

Kansas has for some years occupied too much of the public attention. It is high time this should be directed to far more important objects. When once admitted into the Union, whether with or without slavery, the excitement beyond her own limits will speedily pass away, and she will then for the first time be left, as she ought to have been long since, to manage her own affairs in her own way. If her constitution on the subject of slavery, or on any other subject, be displeasing to a majority of the people, no human power can prevent them from changing it within a brief period. Under these circumstances, it may well be questioned whether the peace and quiet of the whole country are not of greater importance than the mere temporary triumph of either of the political parties in Kansas.

Should the constitution without slavery be adopted by the votes of the majority, the rights of property in slaves now in the Territory are reserved. The number of these is very small; but if it were greater the provision would be equally just and reasonable. These slaves were brought into the Territory under the constitution of the United States, and are now the property of their masters. This point has at length been finally decided by the highest judicial tribunal of the country; and this upon the plain principle that when a confederacy of sovereign States acquire a new Territory at their joint expense, both equality and justice demand that the citizens of one and all of them shall have the right to take into it whatever is recognized as property by the common constitution. To have summarily confiscated the property in slaves already in the Territory, would have been an act of gross injustice, and contrary to the practice of the oldest States of the Union which have abolished slavery.

A Territorial Government was established for Utah, by act of Congress approved the 9th September, 1850, and the constitution and laws of the United States were thereby extended over it "so far as the same, or any provisions thereof may be applicable." This act provided for the appointment by the President, by and with the advice and consent of the Senate, of a Governor, who was to be ex-officio Superintendent of Indian Affairs, a Secretary, three Judges of the Supreme Court, a Marshal, and a District Attorney. Subsequent acts provided for the appointment of the officers necessary to extend our land and our Indian system over the Territory. Brigham Young was appointed the first Governor on the 29th September, 1850, and has held the office ever since. Whilst Governor Young has been both Governor and Superintendent of Indian Affairs throughout this period, he has been at the same time the head of the church, called the Latter-day Saints, and professes to govern its members and dispose of their property by direct inspiration and authority from the Almighty. His power has been, therefore, absolute over both Church and State.

The people of Utah, almost exclusively, belong to the church, and believing with a fanatical spirit that he is Governor of the Territory by divine appointment, they obey his commands as if these were direct revelations from Heaven. If, therefore, he chooses that his Government shall come into collision with the Government of the United States, the members of the Mormon church will yield implicit obedience to him. Unfortunately, existing facts leave but little doubt that such is his determination. Without entering upon a minute history of occurrences, it is sufficient to say that all the officers of the United States, Judicial and Executive, with the single exception of two Indian agents, have found it necessary for their own personal safety to withdraw from the Territory, and there no longer remains any government in Utah, but the despotism of Brigham Young.—This being the condition of affairs in the Territory, I could not mistake the path of duty. As Chief Executive Magistrate, I was bound to restore the supremacy of the constitution and laws within its limits. In order to effect this purpose, I appointed a new Governor and other Federal officers for Utah, and sent with them a military force for their protection, and to aid as a posse comitatus, in case of need, in the execution of the laws.

With the religious opinions of the Mormons, as long as they remained mere opinions, however deplorable in themselves, and revolting to the moral and religious sentiments of all Christians, I had no right to interfere. Actions alone, when in violation of the constitution and laws of the United States, become the legitimate subjects for the jurisdiction of the civil magistrate. My instructions to Gov. Cumming have therefore been framed in strict accordance with these principles. At their date a hope was indulged that no necessity might exist for employing the military in restoring and maintaining the authority of the law; but this hope has now vanished. Gov. Young has, by proclamation, declared his determination to maintain his power by force, and has already committed acts of hostility against the United States. Unless he should retract his steps, the Territory of Utah will be in a state of open rebellion. He has committed these acts of hostility, notwithstanding Maj. Van Vleet, an officer of the army, sent to Utah by the commanding general to pursue

chase provisions for the troops, had given him the strongest assurances of the peaceful intentions of the Government, and that the troops would only be employed as a posse comitatus when called on by the civil authority to aid in the execution of the laws.

There is reason to believe that Gov. Young has long contemplated this result. He knows that the continuance of his despotic power depends upon the exclusion of all settlers from the Territory except those who will acknowledge his divine mission and implicitly obey his will; and that an enlightened public opinion there, would soonstrate institutions at war with the laws both of God and man. He has therefore for several years, in order to maintain his independence, been industriously employed in collecting and fabricating arms and munitions of war, and in disciplining the Mormons for military service. As Superintendent of Indian Affairs he has had an opportunity of tampering with the Indian tribes, and exciting their hostile feelings against the United States.

This, according to our information, he has accomplished in regard to some of these tribes, while others have remained true to their allegiance, and have communicated his intrigues to our Indian Agents. He has laid in a store of provisions for three years, which, in case of necessity, as he informed Major Van Vleet, he will conceal, "and then take to the mountains, and bid defiance to all the powers of the government."

A great part of this may be idle boasting; but yet no wise government will lightly estimate the efforts which may be inspired by such frenzied fanaticism as exists among the Mormons in Utah. This is the first rebellion which has existed in our Territories; and humanity itself requires that we should put it down in such a manner that it shall be the last. To trifle with it would be to encourage it, and to render it formidable. We ought to go there with such an imposing force as to convince these deluded people that resistance would be vain, and thus spare this effusion of blood. We can in this manner best convince them that we are their friends not their enemies. In order to accomplish this object, it will be necessary, according to the estimate of the War Department, to raise four additional regiments; and this I earnestly recommend to Congress. At the present moment of the depression in the revenue of the country, I am sorry to be obliged to recommend such a measure; but I feel confident of the support of Congress, cost what it may, in suppressing the insurrection, and in restoring and maintaining the sovereignty of the constitution and laws over the Territory of Utah.

I recommended to Congress the establishment of a territorial government over Arizona, incorporating with it such portions of New Mexico as they may deem expedient. I need scarcely adduce arguments in support of this recommendation. We are bound to protect the lives and the property of our citizens inhabiting Arizona, and these are now without any efficient protection. Their present number is already considerable, and is rapidly increasing, notwithstanding the disadvantages under which they labor. Besides, the proposed territory is believed to be rich in mineral and agricultural resources, especially in silver and copper. The mails of the United States to California are now carried over it throughout its whole extent, and this route is known to be the nearest, and believed to be the best to the Pacific.

Long experience has deeply convinced me that strict construction of the powers granted to Congress is the only true, as well as the only safe theory of the constitution. Whilst this principle shall guide, my public conduct, I consider it clear that under the war-making power Congress may appropriate money for the construction of a military road through the Territories of the United States, when this is absolutely necessary for the defence of any of the States against foreign invasion. The constitution has conferred upon Congress the power "to declare war," "to raise and support armies," "to provide and maintain a navy, and to call forth the militia to 'repress insurrections.'" These high sovereign powers necessarily involve important and responsible public duties, and among them there is none so sacred and imperative as that of preserving our soil from the invasion of a foreign enemy. The constitution has, therefore, left nothing on this point to construction, but expressly requires that "the United States shall protect each of them (the States) against invasion." Now, if a military road over our own Territories be indispensably necessary, to enable us to meet and repel the invader, it follows, as a necessary consequence, not only that we possess the power, but it is our imperative duty to construct such a road. It would be an absurdity to invest a Government with the unlimited power to make and conduct war, and at the same time deny to it the only means of reaching and defeating the enemy at the frontier. Without such a road, it is quite idle we cannot "protect" California and our Pacific possessions "against invasion." We cannot by any other means transport men and munitions of war from the Atlantic States in sufficient time successfully to defend these remote and distant portions of the Republic.

Experience has proved that the routes across the isthmus of Central America are at best but a very uncertain and unreliable mode of communication. But even if this were not the case, they would at once be closed against us in the event of war with a naval power so much stronger than our own as to enable it to blockade the ports at either end of these routes. After all, therefore, we can only rely upon a military road through our own territories; and ever since the origin of the government Congress has been in the practice of appropriating money from the public treasury for the construction of such roads.

The difficulties and the expenses of constructing a military railroad to connect our Atlantic and Pacific States have been greatly exaggerated. The distance on the Arizona route near the 33d parallel of north latitude, between the western boundary of Texas on the Rio Grande and the eastern boundary of California on the Colorado, from the best explorations now within our knowledge, does not exceed four hundred and seventy miles; and the face of the country is, in the main, favorable. For obvious reasons the government ought not to undertake the work itself by means of its own agents. This ought to be committed to other agencies, which Congress might assist by grants of land or money, or by both, upon such terms and conditions as they may deem most beneficial for the country. Provision might thus be made not only for the safe, rapid and economical transportation of troops and munitions of war, but also of the public mails. The commercial interests of the whole country, both East and West, would be greatly promoted by such a road; and, above all, it would be a powerful additional bond of union. And although advantages of this kind, whether postal, commercial, or political, cannot confer constitutional power, yet they may furnish auxiliary arguments in favor of expediting a work which, in my judgment, is clearly embraced within the war-making power.

For these reasons I commend to the friendly consideration of Congress the subject of the Pacific railroad, without finally committing myself to any particular route.

There port of the Secretary of the Treasury will furnish a detailed statement of the condition of the public finances and of the respective branches of the public service developed upon that department of the government. By this report it appears that the amount of revenue received from all sources into the treasury during the fiscal year ending the 30th June, 1857, was sixty-eight million five hundred and thirty-one thousand five hundred and thirteen dollars and sixty-seven cents, (\$68,531,513 67), which amount with the balance of nineteen millions nine hundred and one thousand three hundred and twenty-five dollars and forty-five cents, (\$19,901,325 45), remaining in the treasury at the commencement of the year, made an aggregate for the service of the year of eighty-eight million five hundred and thirty-two thousand eight hundred and thirty-nine dollars and twelve cents, (\$88,532,839 12).

The public expenditures for the fiscal year ending 30th June, 1857, amounted to seventy millions eight hundred and twenty-two thousand five hundred and twenty-four dollars and eighty-five cents, (\$70,822,734 85), of which five millions nine hundred and thirty-three thousand eight hundred and sixty-nine dollars and ninety-one cents (\$5,943,869 91) were applied to the redemption of the public debt including interest and premium, leaving in the Treasury at the commencement of the present fiscal year on the 1st July, 1857, seventeen million seven hundred and ten thousand one hundred and fourteen dollars and twenty-seven cents, (\$17,710,114 27).

The receipts into the Treasury for the first quarter of the present fiscal year, commencing 1st July, 1857, were twenty million nine hundred and twenty-nine thousand eight hundred and ninety-nine dollars and eighty-one cents, (\$20,929,419 81), and the estimated receipts of the remaining three-quarters to the 30th June, 1858, are thirty-six million seven hundred and fifty thousand dollars, (\$36,750,000), making with the balance before stated an aggregate of seventy-five million three hundred and eighty-four thousand nine hundred and thirty-four dollars and eighty cents, (\$75,889,334 08), for the service of the present fiscal year.

The actual expenditures during the first quarter of the present fiscal year were twenty-three million seven hundred and fourteen thousand five hundred and twenty-eight dollars and thirty-seven cents, (\$23,714,527 37), of which three million eight hundred and ninety-five thousand two hundred and thirty-two dollars and thirty-nine cents, (\$3,895,232 39) were applied to the redemption of the public debt, including interest and premium. The probable expenditures of the remaining three-quarters, to 30th June, 1858, are fifty-one million two hundred and forty-eight thousand five hundred and thirty-four dollars and four cents, (\$51,343,530 04), including interest on the public debt, making an aggregate of seventy-four million nine hundred and sixty-three thousand five hundred and seventy-three dollars and eighty-four cents, (\$74,963,058 41), leaving an estimated balance in the Treasury at the close of the present fiscal year of four hundred and twenty-six thousand eight hundred and seventy-five dollars and sixty-seven cents, (\$426,875 67).

The amount of public debt at the commencement of the present fiscal year was twenty-nine millions six hundred and thirty-three thousand eight hundred and ninety-six dollars and ninety cents, (\$29,660,386 90).

The amount redeemed since the 1st of July was three million eight hundred and ninety-five thousand two hundred and thirty-two dollars and thirty-nine cents, (\$3,895,232 39),—leaving a balance unredeemed at this time of thirty-five million one hundred and sixty-five thousand one hundred and fifty-four dollars and fifty-one cents, (\$35,165,154 51).

The amount of estimated expenditures for the remaining three-quarters of the present fiscal year will, in all probability, be increased from the causes set forth in the Report of the Secretary. His suggestion, therefore, that authority should be given to supply any temporary deficiency by the issue of a limited amount of treasury notes, is approved, and I accordingly recommend the passage of such a law.

As stated in the Report of the Secretary, the tariff of March 3, 1857, has been in operation for so short a period of time, and under circumstances so unfavorable to the development of its results, as a revenue measure, and I should regard it as inexpedient, at least for the Government, to undertake its revision.

I transmit herewith the reports made to me by the Secretaries of War and of the Navy, of the Interior and of the Postmaster General. They all contain valuable and important information and suggestions which I commend to the favorable consideration of Congress.

I have already recommended the raising of four additional regiments, and the report of Secretary of War hints strong reason proving this increase of the army in existing circumstances, to be indispensable.

I would call the special attention of Congress to the recommendation of the Secretary of the Navy in favor of the construction of ten small war steamers of light draught. For some years the government has been obliged on many occasions to hire such steamers from individuals to supply its pressing wants. At the present moment we have no armed vessels in the navy which can penetrate the rivers of China. We have but few which can enter any of the harbors south of Norfolk, although many millions of foreign and domestic commerce annually pass in and out of these harbors. Some of our most valuable interests and most vulnerable points are thus left exposed. This class of vessels of light draught, great speed and heavy guns would be formidable in coast defence.

The cost of their construction will not be great, and they will require but a comparatively small expenditure to keep them in commission. In time of peace they will prove as effective as much larger vessels, and often more useful. One of them should be at every station where we maintain a squadron, and three or four should be constantly employed on our Atlantic and Pacific coasts. Economy, utility, and efficiency combine to recommend them as almost indispensable. Ten of these small vessels would be of incalculable advantage to the naval service, and the whole cost of their construction would not exceed two million three hundred thousand dollars, or \$2,300,000 each.

The report of the Secretary of the Interior, is worthy of grave consideration. It treats of the numerous, important, and diversified branches of domestic administration intrusted to him by law. Among these, the most prominent, are the public lands and our relations with the Indians.

Our system for the disposal of the public lands, originated with the fathers of the republic, has been improved as experience pointed the way, and gradually adapted to the growth and settlement of our Western States and Territories. It has worked well in practice. Already thirteen States and seven Territories have been carved out of these lands, and still more than a thousand millions of acres remain unsold. What a boundless prospect this presents to our country of future prosperity and power!

We have heretofore disposed of 363,862,464 acres of the public land.

Willist the public lands as a source of revenue

are of great importance, their importance is far greater as furnishing homes for a hardy and independent race of honest and industrious citizens, who desire to subdue and cultivate the soil. They ought to be administered mainly with a view of promoting this wise and benevolent policy. In appropriating them for any other purpose, we ought to use greater economy than if they had been converted into money and the proceeds were already in the public treasury. To squander away this richest and noblest inheritance which any people have ever enjoyed upon subjects of doubtful constitutionality or expediency, would be to violate one of the most important trusts ever committed to any people. Whilst I do not deny to Congress the power, when acting bona fide as a proprietor, to give away portions of them for the purpose of increasing the value of the remainder, yet, considering the great temptation to abuse this power, we cannot be too cautious in its exercise.

Actual settlers under existing laws are protected against other purchasers at the public sales, in their right of pre-emption, to the extent of a quarter-section, or 160 acres of land. The remainder may then be disposed of at public or entered at private sale in unlimited quantities. Speculation has of late years prevailed to a great extent in the public lands. The consequence has been that large portions of them have become the property of individuals and companies, and thus the price is greatly enhanced to those who desire to purchase for actual settlement. In order to limit the area of speculation as much as possible, the extinction of the Indian title and the extension of the public surveys ought only to keep pace with the tide of emigration.

If Congress should hereafter grant alternate sections to States or Companies, as they have done heretofore, I recommend that the intermediate sections retained by the government should be subject to pre-emption by actual settlers. It ought ever to be our cardinal policy to reserve the public lands as much as may be for actual settlers, and this at moderate prices. We shall thus not only best promote the prosperity of the new States and Territories, and the power of the Union, but shall secure homes for our posterity for many generations.

The extension of our limits has brought within our jurisdiction many additional and populous tribes of Indians, a large proportion of which are wild, untractable, and difficult to control. Predatory and warlike in their disposition and habits, it is impossible altogether to restrain them from committing aggressions on each other, as well as upon our frontier citizens and those emigrating to our distant States and Territories. Hence expensive military expeditions are frequently necessary to overawe and chastise the more lawless and hostile.

The present system of making them valuable presents to influence them to remain at peace has proved ineffectual. It is believed to be the better policy to colonize them in suitable localities, where they can receive the rudiments of education and be gradually induced to adopt habits of industry. So far as the experiment has been tried, it has worked well in practice, and it will doubtless prove to be less expensive than the present system.

The whole number of Indians within our territorial limits is believed to be, from the best data in the Interior Department, about 320,000.

The tribes of Cherokees, Choctaws, Chickasaws, and Creeks, settled in the Territory set apart for them west of Arkansas, are rapidly advancing in education and in all the arts of civilization and self-government; and we may indulge the agreeable anticipation that at no very distant day they will be incorporated into the Union as one of the sovereign States.

It will be seen from the report of the Postmaster General that the Post Office Department still continues to depend on the Treasury, as it has been compelled to do for several years past, for an important portion of the means of sustaining and extending its operations. Their rapid growth and expansion are shown by a detailed statement of the number of post offices, and the length of post roads, commencing with the year 1827. In that year there were 7,000 post offices; in 1837, 11,177; in 1847, 15,146; and in 1857, they number 26,586. In this year, 1,725 post offices have been established, and 704 discontinued, leaving a net increase of 1,021.

The postmasters of 368 offices are appointed by the President. The length of post roads in 1837 was 105,336 miles; in 1837, 141,243 miles; in 1847, 151,818 miles; and in the year 1857, there are 242,601 miles of post road, including 22,530 miles of railroad, on which the mails are transported. The expenditures of the department for the fiscal year ending on the 30th June, 1857, as adjusted by the Auditor, amount to \$11,507, 670. To defray these expenditures there was to the credit of the department on the 1st July, 1856, the sum of \$789,599; the gross revenue of the year, including the annual allowances for the transportation of free mail matter, produced \$5,053,951; and the remainder was supplied by the appropriation from the treasury of \$2,250, 000, granted by the act of Congress approved August 18, 1856, and by the appropriation of \$668,883 made by the act of March 3, 1857, leaving \$247,763 to be carried to the credit of the department in the accounts of the current year. I commend to your consideration the report of the department in relation to the establishment of the overland mail route from the Mississippi river to San Francisco, California.—The route was selected with my full concurrence, as the one, in my judgment, best calculated to attain the important objects contemplated by Congress.

The late disastrous monetary revolutions may have one good effect should it cause both the government and the people to return to the practice of a wise and judicious economy both in public and private expenditures. An overflowing treasury has led to habits of prodigality and extravagance in our legislation. It has induced Congress to make large appropriations to objects for which they never would have provided had it been necessary to raise the amount of revenue required to meet them by increased taxation or by loans. We are now compelled to pause in our career, and to scrutinize our expenditures with the utmost vigilance; and in performing this duty, I pledge my co-operation to the extent of my constitutional competency.

It ought to be observed at the same time that true public economy does not consist in withholding the means necessary to accomplish important national objects intrusted to us by the constitution, and especially such as may be necessary for the common defence. In the present crisis of the country it is our duty to confine our appropriations to objects of this character, unless in cases where justice to individuals may demand a different course. In all cases care ought to be taken that the money granted by Congress shall be faithfully and economically applied.

Under the federal constitution, "every bill which shall have passed the House of Representatives and the Senate shall, before it becomes a law," be approved and signed by the President; and if not approved, "he shall return it, with his objections, to that house in which it is origi-

nated." In order to perform this high and responsible duty, sufficient time must be allowed the President to read and examine every bill presented to him for approval. Unless this be afforded, the constitution becomes a dead letter in this particular, and even worse, it becomes a means of deception. Our constituents, seeing the President's approval and signature attached to each act of Congress, are induced to believe that he has actually performed his duty, when, in truth, nothing is, in many cases more unfounded.

From the practice of Congress, such an examination of each bill as the constitution requires, has been rendered impossible. The most important business of each session is generally crowded into its last hours, and the alternative presented to the President is either to violate the constitutional duty which he owes to the people, and approve bills which, for want of time, it is impossible he should have examined, or, by his refusal to do this, subject the country and individuals to great loss and inconvenience.

Besides, a practice has grown up of late years to legislate in appropriation bills at the last hours of the session, on new and important subjects. This practice constrains the President either to suffer measures to become laws which he does not approve, or to incur the risk of stopping the wheels of the government by vetoing an appropriation bill. Formerly such bills were confined to specific appropriations for carrying into effect existing laws and the well-established policy of the country, and little time was then required by the President for their examination.

For my own part, I have deliberately determined that I shall approve no bill which I have not examined, and it will be a case of extreme and most urgent necessity which shall ever induce me to depart from this rule. I therefore respectfully, but earnestly, recommend that the two houses would allow the President at least two days previous to the adjournment of each session within which no new bill shall be presented to him for approval. Under the existing rule one day is allowed; but this rule has been hitherto so constantly suspended in practice, that important bills continue to be presented to him up to the very last moments of the session.

In a large majority of cases no great inconvenience can arise from the want of time to examine their provisions, because the constitution declared that if a bill is presented to the President within the last ten days of the session he is not required to return it, either with an approval or with a veto, "in which case it shall not be a law." It may then lie over, and be taken up and passed at the next session. Great inconvenience would only be experienced in regard to appropriation bills; but fortunately, under the excellent law allowing a salary, instead of a per diem, to members of Congress, the expense and inconvenience of a called session will be greatly reduced.

I cannot conclude without commending to your favorable consideration the interest of the people of this District. Without a representative body of Congress, they have for this very reason peculiar claims upon our just regard. To this I know, from my long acquaintance with them, they are eminently entitled.

JAMES BUCHANAN.

Washington, Dec. 8, 1857.

No Voting for State Officers!

The Lawrence Convention, on the 9th of January, decided not to go into an election for State officers, on the 9th of January. What counsels prevailed in the Convention, may readily be judged, from the names of the Committee appointed to memorialize Congress to accept the Topeka Constitution. They are such names as Redpath, Phillips, Conway, Thatcher, Plumb, & Co. They are the very men who opposed going into the October election, and when they were foiled, flooded the country, especially the East, with slanders of Free State men who had ever been found at their posts. Had the party taken their advice, and abstained from voting, in October, in what condition would the Free State men now be? They would not possess the advantage of having the Legislature; and if the Territorial Government should not be superseded by a State organization, the Pro-Slavery party would have had that in their hands, and would have continued their tyrannical acts at their pleasure. And what will be the consequence, if Congress accepts the Lecompton Constitution? They may talk of rebellion, not submitting, and all that; but these things are much more easily talked about than carried into successful effect. There is not much dependence to be placed upon Congress; and should they accept the Lecompton Constitution, they will also accept the State Government elected under it. Where, then, will the Free State party be? They will not have so much as a County officer in the State, and the Pro-Slavery party will have the power to fortify themselves forever against the Free State party—and they will improve the opportunity. The only hope for the Free State men, (and it is a doubtful one,) lies in the probable rejection of the Constitution by Congress. And every one must perceive that it will be a great temptation to a Democratic Congress, never noted for being over scrupulous, to admit Kansas with the Lecompton Constitution, when they find a sure thing of securing a Democratic Congress and two United States Senators.

But it is too late to talk about this now. The County Convention, at Troy, on Monday, endorsed the action of the Lawrence Convention, and declined to nominate a ticket. Redpath and his gang were there—they gave the word, and were obeyed. In fact, it would have been useless for the Delegates to have done otherwise. The action at Lawrence knocks the whole thing into a "cocked hat."

A number of Delegates bolted from the Lawrence Convention, and it is reported that they nominated a State ticket, with Stanton for Governor. But the party will be divided by this, and the Pro-Slavery party will succeed. Besides, it would be a pretty move, to nominate Stanton for Governor. He has never claimed to be aught but a Pro-Slavery man; and because he simply did his duty, and could not well have done otherwise, it would be a very simple act to nominate him as a Free State candidate for Governor.

The everlasting Topeka Constitution must be again dragged up, and Congress memorialized to accept it. What consistency is there in that? It occupies precisely the same position as the Lecompton Constitution. It was formed more than two years ago, when three-fourths of the people now in the Territory resided in the States. But one party voted for the Delegates who framed it, and it was sent to Congress without being submitted to a vote of the people. A vote was taken last August, but only the Free State party voted. And at the time it was framed, Kansas was not entitled to a Constitution. We like to see a little consistency. It is a poor excuse to say that the Lecompton Constitution shall not be accepted, because it was framed by somebody else; but the Topeka Constitution shall be accepted, because it was framed by us. Congress will never accept the Topeka Constitution, as it now stands, and the less trouble there is taken in bothering Congress with it, the less pains there will be taken for nothing.

The Free State party still intend to vote on the Lecompton Constitution, on Monday next, as provided by the Legislature. But the vote will no doubt be greatly lessened by the refusal to vote for State officers. There will not be so great an inducement for people to go to the polls, as there would be if a full ticket were out.

There has been much difficulty in the vicinity of Fort Scott, in the lower part of this Territory, in consequence of the attempted arrest of a large number of Free State men, under the Rebellion Act. A large body of men were under arms, and several persons had been killed. It is now reported that Gen. Lane has got into a difficulty with the United States troops, in endeavoring to perform the duties of his office, as commander of the Territorial Militia, to which he was elected, at the recent session of the Legislature. But there are so many cock-and-ball stories out about Lane, that we do not know which ones to credit.

DEMOCRATIC TORY.—The Democrats of this County have nominated the following ticket:

For State Senator—Sidney Tennent.

For Representative—C.B. Whitcomb.

J.R. Boyd, Albert Hood, J.R. Wilson.

Remember, this (Thursday) evening is the time appointed for the meeting, to hear the report of the Delegates to the County Convention. W.V. Barr, of Iowa Point, will address the meeting.

Gov. Walker has resigned. His reasons are, that the Administration has backed down from the policy upon which he accepted the office, and is now opposed to the only course by which he was able to preserve peace here; therefore, it is useless for him longer to retain the office. We will publish his letter next week.

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